

REMARKS

Claims 1-13 are all the claims pending in the application. Claim 14 has been added. Applicants thank the Examiner for acknowledging Applicants claim for foreign priority. Applicants also thank the Examiner for considering the references provided in the August 14, 2001 Information Disclosure Statement.

Claim Rejections - 35 USC § 101

Claim 13 stands rejected under 35 U.S.C. § 101. Applicants have canceled this claim.

Claim Rejections - 35 USC § 102

Claims 1-13 stand rejected under 35 U.S.C. § 102(b) as being unpatentable over U.S. Patent No. 5,937,158 (Uranaka). The present invention is related to a computer peripheral sales promoting system and method. In particular, claim 1 recites, *inter alia*:

“a service status detecting means for detecting a service status of a computer peripheral;
a customer product information storing means for storing specification information of said computer peripheral and user information which specifies a user of said computer peripheral and also for consecutively updating and storing a service status detected by said service status detecting means; and
a sales promoting terminal for making access to said customer product information storing means to thereby read out said specification information, said user information, and service status.”

The Examiner states that the service status detecting means and the customer product information storing means are disclosed at col. 17, lines 26-31. The Examiner states that this section reads over “an electronic catalog DVD, which contains data relating to the commodity such as specifications, external appearance, price, commodity code, etc. of the commodity to be sold, program used for certification of the user, and purchase history information storage area”. The Examiner further states that it “appears that the DVD would read over the service status through purchase history by the user.”

Applicants respectfully traverse this rejection. First, claim 1, as noted above, recites “a service status detecting means for detecting a service status of a computer peripheral.” Uranaka relates to a system that connects portable media, such as a DVD including a catalogue, to a network so that an order can be made from the catalogue (see col. 2, lines 9-19). In Uranaka, the DVD can include data such as price, code, etc., as well as a storage area to store a user’s purchase history (see the aforementioned section cited by the Examiner). No where in the DVD, or in fact system, is there disclosed or suggested that a *service status of a computer peripheral* be detected. For example, the section is silent with respect to detecting how much storage is in the DVD. The present invention and the Uranaka system are quite different.

Next, the Examiner states that the sales promoting terminal is disclosed at col. 1, lines 27-29, wherein this reads over “the user obtains a CD-ROM by purchasing it at a bookshop or by receiving direct distribution from mail order supplier”. Applicants fail to see how purchasing a CD-ROM at a bookstore can read on a sales promoting terminal. Further, this action, as cited by the Examiner would not be capable of checking a service status. In addition, under the

Examiner's scenario as discussed above, there would be no reason for a CD-ROM to access a DVD. As such, Applicants respectfully submit that claim 1 is allowable.

Claim 2 recites, *inter alia*,

“a service status detecting means for detecting a service status of a computer peripheral;
a customer product information storing means for storing specification information of said computer peripheral and user information of a user of said computer peripheral and also for consecutively updating and storing a service status detected by said service status detecting means; and

a sales promoting terminal for making access to said customer product information storing means to thereby read out said specification information, said user information, and said service status.”

The Examiner uses different sections (from similar claim 1) of Uranaka to allege that the recited features of claim 2 are disclosed by Uranaka. In particular, the Examiner states that the status detecting means and customer product information storing means are disclosed at col. 25, lines 15-19. The Examiner states that this reads over “the central control means of the retrieval server retrieves the information providing the server having the information, which the information retriever seeks, among the information providing server group using the server.”

First, this section of Uranaka discloses accessing media-related information based on keywords such as onion, carrot, and oxtail (see col. 25, lines 15-33). There is no suggestion of detecting a service status of a computer peripheral, or updating the service status.

Next, the Examiner states that the sales promoting terminal is disclosed at col. 9, lines 20-22 wherein this section reads over “the user obtains the restaurant guide DVD by buying it at a bookshop or by mail order sale or at the distribution form a restaurant guide service provider”. As noted above, Applicants fail to see how purchasing a CD-ROM at a bookstore can read on a sales promoting terminal. Further, this action, as cited by the Examiner, would not be capable of checking a service status. As such, Applicants respectfully submit that claim 2 is allowable.

As for claim 9, the Examiner states that the feature “said service status detecting means detects a spent disk capacity and a load status of said data storing apparatus as a service status” is disclosed at col. 1, lines 27-29, wherein this reads over “the CD-ROM thus obtained is placed into a CD-ROM drive of a personal computer at hand to display the content of the catalog”. Applicants respectfully submit that inserting a CD-ROM into a computer would not suggest detecting the disk capacity, and in particular, detecting the disk capacity at the network. Claims 3-12 are allowable at least based on their dependence on claims 1 and 2, as applicable.

Newly added claim 14 includes features of claims 1 and 2 and is allowable for similar reasons as discussed above.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No. 09/928,451

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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